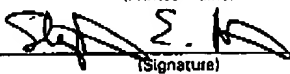


#43
RCEAtty. Dkt. No. SALK1520-2
(088802-8752)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Evans, et al.

Title: METHOD FOR
MODULATING EXPRESSION
OF EXOGENOUS GENES IN
MAMMALIAN SYSTEMS,
AND PRODUCTS RELATED
THERETO

CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Washington, D.C. on the date below. Stephen E. Reiter (Printed Name)  (Signature) January 13, 2003 (Date of Deposit)
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Appl. No.: 09/042,488

Appl. Filing Date: 03/16/1998

Examiner: S. Kaushal

Art Unit: 1636

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Commissioner for Patents
Box RCE
Washington, D.C. 20231

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. §1.114: (check items that apply)**a. Previously submitted:**

☒ Please enter and consider the amendment/reply previously filed on
12/13/02.

☐ Please consider the Affidavit(s)/Declaration(s) previously filed on ___ but not
considered.

01/21/2003 TTABB1 00000013 500872 09042488

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Atty. Dkt. No. SALK1520-2
(088802-8752)

☐ Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on ____.

☐ Other ____.

b. Enclosed are:

☐ Amendment/Reply.

☐ Affidavit(s)/Declaration(s).

☐ Information Disclosure Statement.

☐ Form PTO-1449 with copies of ____ listed reference(s).

☒ Petition for Extension of Time

Miscellaneous:

☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ____ months.

The filing fee is calculated below:

	Claims as Amended		Previously Paid For		Extra Claims Present		Rate		Fee Totals
RCE Fee 1.17(e)							\$750.00		\$750.00
Total Claims:	53	—	55	=	0	x	\$18.00	=	\$0.00
Independents:	16	—	16	=	0	x	\$84.00	=	\$0.00
First presentation of any Multiple Dependent Claims:						+	\$280.00	=	\$0.00
CLAIMS FEE TOTAL:									\$750.00

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(088802-8752)

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/> Extension for response filed within the first month:	\$110.00	\$0.00
<input checked="" type="checkbox"/> Extension for response filed within the second month:	\$410.00	\$410.00
<input type="checkbox"/> Extension for response filed within the third month:	\$930.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,450.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$1,970.00	\$0.00
SUBTOTAL:		\$410.00
CLAIMS AND EXTENSION FEE TOTAL:		\$1160.00
<input checked="" type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):		\$580.00
SUBTOTAL		\$580.00
<input checked="" type="checkbox"/> Minus 1 Month Extension Previously Paid for		-\$55.00
TOTAL FEE:		\$525.00

☒ Please charge Deposit Account No. 50-0872 in the amount of \$525.00. A duplicate copy of this transmittal is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date: January 13, 2003

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Telephone: (858) 847-6711
Facsimile: (858) 792-6773

By Stephen E. Reiter

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